

SN. 09/826,557

ATTORNEY DOCKET NO. CANO:023

REMARKS

Claims 1-22 are now pending in this application for which applicant seeks reconsideration.

Amendment

Independent claims 1, 10, 19, and 20 have been amended to clarify that a same identifier is assigned to ALL of the plurality of transmissions of the same data, as was previously argued. Dependent claims 3 and 12 also have been amended. New claims 21 and 22 have been added. No new matter has been introduced.

Art Rejection

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as anticipated by Johnson (USP 6,248,996). Applicant traverses this rejection because Johnson does not disclose or teach assigning a same ID to all of the plurality of transmission of the same data.

The present claims call for assigning a same ID to all of the plurality of transmissions of the same data. By associating a same ID to different transmissions of the same data, collective management of different transmissions of the same data becomes possible, such as ascertaining the status of the respective transmissions or canceling the transmission reservation using a display device or an input device, merely using the same ID.

Johnson, in contrast, assigns different job numbers, or IDs, to different transmissions of the same data. As was previously argued, Johnson would not have taught assigning a same IDs to the same data transmitted to different destination addresses. The examiner even admits that Johnson does not assign a same ID to different transmissions of the same data, but instead interprets the claims as calling for maintaining or preserving the same ID for each of the transmission instead of assigning the same ID to all of the transmissions of the same data:

While it is true that "a plurality of IDs are assigned to a plurality of transmissions, it is also true that the SAME identifier (ID) of EACH of the transmissions is maintained or preserved during a data transmission so that each transmission can be tracked or updated. [Page 5 of the Detailed Action].

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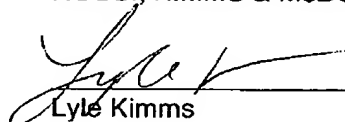
Applicant submits that the examiner's interpretation of the present claims is untenable, especially since the claims explicitly call for assigning a same ID to all of the different transmissions of the same data. The claims cannot be more clear on this point. Whether the same IDs are preserved or not changed during the transmission has no bearing on what is being claimed. As Johnson assigns different IDs to the different transmissions of the same data, regardless whether the same ID is preserved or not, Johnson would not have anticipated the present claims.

Conclusion

Applicant submits that claims 1-22 patentably distinguish over the applied reference and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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February 10, 2005  
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